

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**JOHNNY JACKSON AND LATESIA
JACKSON,**

Plaintiffs,

v.

**PEOPLES SOUTH BANK f/k/a PEOPLES
COMMUNITY BANK, LARRY
PITCHFORD, et. al.**

Defendants.

**CIVIL ACTION NO.
2:06-CV-00021-WKW-VPM**

PEOPLESOUTH BANK'S MOTION FOR LEAVE TO AMEND ANSWER

COMES NOW defendant PeoplesSouth Bank f/k/a Peoples Community Bank ("PeoplesSouth"), by and through its undersigned counsel, and moves this Court for leave to amend PeoplesSouth Bank's answer to the complaint. In support of the motion, Defendant states as follows:

1. In the original answer attached as Exhibit "1", Defendant PeoplesSouth Bank was inadvertently referred to as PeoplesSouth Bancshares, Inc. Accordingly, Defendant PeoplesSouth Bank seeks this Court's leave to file Exhibit "2" to correct this mistake.

WHEREFORE, PREMISED AND CONSIDERED, Defendant PeoplesSouth Bank respectfully requests this Court to enter an order entering Defendant's amended answer. A proposed order is attached hereto as Exhibit "3".

Respectfully submitted,

s/ Gary L. Howard

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CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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s/ Gary L. Howard
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